

The new potential wording by the petitioner begins “intercommunications when participating in emergency services operations”. I believe a better phrase would be “intercommunications when participating in emergency or disaster relief operations” because disaster relief operations do not always involve immediate threats to life and health or immediate threats to property, but none the less can be compromised if sensitive information becomes available to the public.

The potential wording by the petitioner also includes the phrase “any other data designated by Federal authorities managing relief or training efforts”. The wording could be understood to mean that the information that could be encrypted, mentioned earlier in the paragraph, that is, information covered by HIPPA, logistical information concerning medical supplies, personnel movement, other relief supplies, is already data designated as sensitive by Federal authorities and those Federal authorities could designate additional sensitive data.

In reality, the bulk of disaster and emergency communications, both in general, and that transmitted by amateur radio stations, is to or from NGOs (including volunteer fire companies, nonprofit private ambulance companies, the Salvation Army, and the American Red Cross), local, state, and tribal governments. It would be counterproductive to limit the agencies that can designate information as sensitive to Federal agencies. I think the wording could be improved by simply striking the word “Federal” so the designator would have to be an “authority”.